

file ✓
COUNCILMEMBER GILDA FELLER
Civic Center Building
2180 Milvia Street
Berkeley, Calif. 94704

SANTA FE

Right of Way

Assessment of Alternative Use Potentials

**Report of the Staff Task Force
City of Berkeley
Sept. 1977**

TABLE OF CONTENTS

SANTA FE RIGHT-OF-WAY

ASSESSMENT

OF

ALTERNATIVE USE POTENTIALS

TABLE OF CONTENTS

Introduction

	Page
Background	3
Right of Way Description	3
History of City Interest	3
Right-of-Way Status	4
Public Agency Interest	5
Right-of-Way Valuation	6
Franchise Agreement	6
Potential Use Alternatives	8
Major Use Alternatives	8
Developed Open Space	8
Mixed Use	8
Complementary Use Options	9
BART	10
West Street	10
Corporation Yard	11
Ward-Sacramento Street	12
Assessment of Major Use Alternatives	13
Bikeways	13
Social Considerations	14
Housing	14
Community Impacts	15
Costs of Major Use Alternatives	17
Funding Sources	20
Conclusions	21
Next Steps	21
Appendices	
A. Santa Fe Right of Way (Berkeley portion) and adjacent parcels	
B. Major Use Alternatives	

INTRODUCTION

For many years the operation of freight trains over the Santa Fe tracks in the Berkeley flatlands has been a source of problems to the surrounding community. Clatter from moving trains has impacted a number of homes in the vicinity of the right-of-way. The tracks themselves are unsightly, detracting from the appearance of the residential neighborhood they traverse. Normal traffic circulation in business and residential areas is interrupted with each train movement. The most serious problem presented by the operation of trains is the threat to life and safety. Several persons have been killed and others maimed as a result of accidents in Berkeley involving moving trains.

A concerted effort has been made since the early 1960's to eliminate train operations on the Santa Fe right-of-way. Discussions have been held with railroad officials, proposals to acquire the right-of-way have been submitted to the voters, and various studies have been undertaken of associated legal, financial and community development questions. Until recently, however, these efforts appeared to be unproductive.

Recent events hold promise that the long-standing goal of "removing the tracks" may be achieved in the near future. With the active cooperation of the City of Berkeley, the Atcheson, Topeka and Santa Fe Railway Company has applied to the Interstate Commerce Commission for permission to abandon its right-of-way from Oakland to Richmond. The prospects for I.C.C. approval of the application appear favorable. If the I.C.C. approves the application, train operations on the Santa Fe right-of-way will be stopped and a longstanding community objective will be realized. However, the question of how the right-of-way itself might best be utilized in the future remains an important community planning and development issue.

Anticipating the need for a thorough study of the community development opportunities afforded by the right-of-way, on April 12, 1977 the City Council directed that the City Manager carry out a comprehensive assessment of potential use alternatives for the land area involved. The purpose of the use assessment was to identify, for the community-at-large and for the City Council, the public purposes that might be served by city acquisition of all or part of the right-of-way, to estimate the costs necessary to achieve those public purposes, and to assess the impacts of alternative uses.

To carry out this assignment, the City Manager formed an interdepartmental task force of the following city departments:

- Comprehensive Planning
- Finance
- Housing and Development
- Recreation, Parks and Community Services
- Legal
- Public Works
- Transportation

The Comprehensive Planning Department was directed to coordinate the work of the task force and assume responsibility for preparation of the requested use assessment report.

Recommendations

The Task Force recommends that the City pursue a policy encouraging multiple public and private use of the right-of-way rather than a policy to convert the right-of-way into a linear park. The Mixed Use Policy has the following advantages:

- Significant amounts of usable open space and recreation facilities could be provided.
- Costs to the City for capital outlay and maintenance are less than required for a linear park.
- A tangible opportunity is presented to address the City's housing needs.

The Task Force found that there were significant disadvantages associated with a policy to use the right-of-way for linear park purposes including:

- High capital and maintenance costs.
- Narrow range of recreation opportunities afforded.
- Anticipated park user behavior problems adversely affecting adjacent homeowners.
- Potential safety hazards with use of the right-of-way as a bike route.

The material presented in the balance of this report is a summary of the factors reviewed and analyzed by the Task Force.

BACKGROUND

Right-of-Way Description

The Santa Fe right-of-way in Berkeley consists of long, narrow strips of land extending from Sacramento Street near Oregon in South Berkeley to the Albany border. Between the south city limit and Oregon, the right-of-way is located within Sacramento Street. The total right-of-way proposed for abandonment extends from North Oakland running through Berkeley, Albany and El Cerrito, and ending in Richmond, a distance of 9.2 miles. Some 3.2 miles of the right-of-way are through the City of Berkeley. Appendix A illustrates the Berkeley portion of the right-of-way.

In three locations ^{1/} the right-of-way widens to 100 feet or more. From Oregon Street to Channing Way, the right-of-way is 60 feet wide. North of University Avenue the right-of-way is generally 30 feet in width. From Berkeley Way to Cedar Street the City of Berkeley has an easement over the right-of-way for street purposes. This easement area plus an adjoining strip from West Street, a dedicated but unimproved public street.

Throughout most of its length in Berkeley, the Santa Fe right-of-way traverses some 26 city blocks. As the right-of-way proceeds from block to block it is crossed by city streets. Thirty-three such street crossings occur at regular intervals throughout the city.

In terms of land area, exclusive of public streets, the Santa Fe right-of-way consists of about 11.6 acres of land. Santa Fe has fee title ownership to about 8.4 acres of the right-of-way with the balance under railroad easements.

History of City Interest

The first formal proposal for city acquisition of the Santa Fe right-of-way was made in March, 1965. At that time, it was proposed that the City Council, acting as the Urban Renewal Agency, initiate action to designate the right-of-way as a redevelopment project. In order to provide the necessary financing for the project, it was suggested that a limited amount of additional privately-owned property be included in the redevelopment project, cleared and resold for tax producing residential development. Only substandard residential and non-conforming industrial uses were to be included in the redevelopment plan. The proposal was premised upon the sale of bonds to finance the acquisition of the railroad right-of-way. The additional property tax revenue generated by new residential development in areas zoned for apartment use was to be pledged to retire the "tax increment" bonds sold. Because of concerns about the community acceptance of the redevelopment process as well as anticipated legal and financial problems, the proposal was never accepted by the City Council.

^{1/} Block south of Bancroft Way; block between Bancroft Way and Allston Way; block between Allston Way and Addison Street.

In the next few years discussions continued among officials of the railroad and the City on cessation of train operations. By 1970, the railroad company had concluded that its service through Berkeley was at a marginal economic level. The company indicated that if the city were in a position to purchase the right-of-way, the railroad would file for ICC approval to terminate train service. The City Council accordingly placed a \$6,500,000 bond measure on the ballot for the June, 1970 primary election. The purposes of the bond issue were to acquire the right-of-way and associated vacant lands, develop the land acquired as a linear park and bicycle path, construct a new corporation yard in the industrial area, and develop the existing corporation yard site as a District park at the mid-point of the proposed linear park. The resulting vote on the measure was about one-half in favor and one-half opposed, far short of the necessary two-thirds affirmative vote required.

The following year the City Council placed a bond measure on the April 16, 1971 municipal election ballot in the amount of \$970,000. This bond issue would have provided funds only for the purchase of the Santa Fe right-of-way. This measure was supported by 59.3% of the voters but also failed to receive the necessary two-thirds vote.

A third bond measure in the amount of \$970,000 was placed on the ballot for the April 1973 municipal election by the City Council. That measure also failed to obtain the necessary two-thirds vote although the voters supporting the measure increased to 60.1%.

On the recommendations of the Planning Commission and Recreation Commission, the City Council placed a measure (Measure Y) on the November 5, 1974 election ballot to provide for an annual 20¢ property tax levy over a five-year period. The purpose of the tax measure was to provide funds for the acquisition and development of neighborhood parks and open space throughout the city. Although the measure itself provided no commitment to acquire the Santa Fe right-of-way, ballot arguments and campaign literature mentioned right-of-way acquisition as a possible project to be funded by the measure. Measure Y was approved by the voters and a planning process was initiated by the city to designate new park projects. In the Spring of 1977 a 5-year Plan for the use of Measure Y funds was adopted by the City Council, the Planning Commission, and the Recreation Commission. That Plan earmarked \$539,400 of Measure Y funds for acquisition and development of open space facilities within the Santa Fe right-of-way.

Right-of-Way Status

Santa Fe Railway has filed an application with the Interstate Commerce Commission (I.C.C.) requesting approval for the company to abandon a 9.2 mile segment of its right-of-way from North Oakland to Richmond and to operate on joint trackage with the Southern Pacific Railway on the S.P.'s facilities along the east shore of San Francisco Bay.

Santa Fe's principal justification for the abandonment application is the resulting reduction of street crossings at grade (from 40 crossings to 10

by using Southern Pacific's trackage) with a corresponding beneficial effect upon public safety. The railroad also contends that its facilities create a psychological barrier, particularly in relation to the 3.2 mile portion which bisects Berkeley.

Opening statements supporting the abandonment were filed by Santa Fe with the I.C.C. on July 18, 1977. The Berkeley City Attorney filed a statement by Mayor Warren Widener on behalf of the City in support of Santa Fe's application. Closing statements are to be filed by September 6. The application will then be considered by the I.C.C. and a decision rendered, possibly by the end of September, 1977.

Technical objections were filed by the cities of Albany and El Cerrito alleging loss of rail service to lumber yards in those cities. Actual use of rail service by those businesses is minimal but its availability has a favorable effect on truck transportation costs for those firms.

The abandonment application is for the entire 9.2 mile right-of-way. The company's position is that any lesser abandonment (e.g., the 3.2 mile Berkeley segment) is not acceptable.

If the Interstate Commerce Commission approves Santa Fe's application, public agencies and utilities including the city will be afforded a 120-day period within which they may seek options to purchase the right-of-way before it may be offered for sale to private properties. Should the city acquire the right-of-way in Berkeley, it would obtain about 8 acres in fee ownership. Subsequent title action may be necessary for the city to acquire the entire right-of-way in fee.

Public Agency Interest

A number of agencies have been contacted to determine whether any might have serious interest in acquiring the Berkeley portion of the right-of-way should it be abandoned. The responses were:

- P.G. & E. This utility company had previously indicated an interest in the right-of-way as a route for the installation of a major electrical power line connecting Richmond, Berkeley and Oakland. The Company is aware of the environmental problems involved in constructing an overhead transmission line and believes an underground installation is not economically feasible. Consequently, company representatives indicate it does not intend to pursue the matter further.
- Metropolitan Transportation Commission. MTC staff indicated that their agency's interest in the Berkeley portion of the right-of-way was focused on its potential for bikeway uses. MTC has no specific plan or proposal for a bikeway utilizing the right-of-way at the present time and would not be interested itself in purchasing the property.

- BARTD. BART has no interest in acquiring any portion of the right-of-way in Berkeley. There are some right-of-way segments north of Berkeley that might be of use by the District for spur track purposes to improve BART train operations.
- U. S. Bureau of Outdoor Recreation. The Regional Office of the Bureau of Outdoor Recreation (U. S. Department of Interior) has taken an active interest in the recreational potential of the Santa Fe right-of-way. The Bureau has sponsored a series of meetings attended by representatives from Oakland, Berkeley, Albany, El Cerrito, Richmond, BARTD, the East Bay Regional Park District, and Caltrans. These meetings suggested that the entire right-of-way has significant potential for use as a recreation/bicycle trail. The route is contiguous to or within one mile of six BART stations including the AMTRAK terminal in Richmond. In addition, the route is within close proximity to Caltrans's proposed San Rafael Bridge bicycle shuttle.

Figure 1 illustrates the relationship of the Santa Fe right-of-way to existing and planned regional trails and parklands. The Bureau of Outdoor Recreation has expressed interest in providing grant funds to assist local jurisdictions acquire and develop the right-of-way as a regional recreational facility.

Right-of-Way Valuation

In conjunction with its abandonment application, Santa Fe engaged the services of an independent appraiser to estimate the market value of the 9.2 mile right-of-way. This appraisal was conducted on a city-by-city basis. A copy of the value estimates for Berkeley was furnished to the city. The appraisal reflected a "highest and best use" assumption based upon current zoning limitations on property development.

For Berkeley, the appraisal report estimates an aggregate fair market value of \$299,655 for those portions of the right-of-way which Santa Fe owns outright or otherwise has a substantial ownership claim. The appraised value for the entire 9.2 mile right-of-way is \$793,265. Thus, the right-of-way in Berkeley represents 38% of the value of the area to be abandoned.

The above appraisal has been reviewed by the city's Director of Finance who believes it to represent a reasonable estimate of the fair market value of the right-of-way in Berkeley.

Franchise Agreement

In 1958, the City Council adopted Ordinance No. 3629 N.S. granting the Atcheson, Topeka and Santa Fe Railway a franchise to operate a railroad within the City for a period of 25 years. That ordinance replaced an earlier franchise granted some years previously. The present franchise agreement expires in 1983.

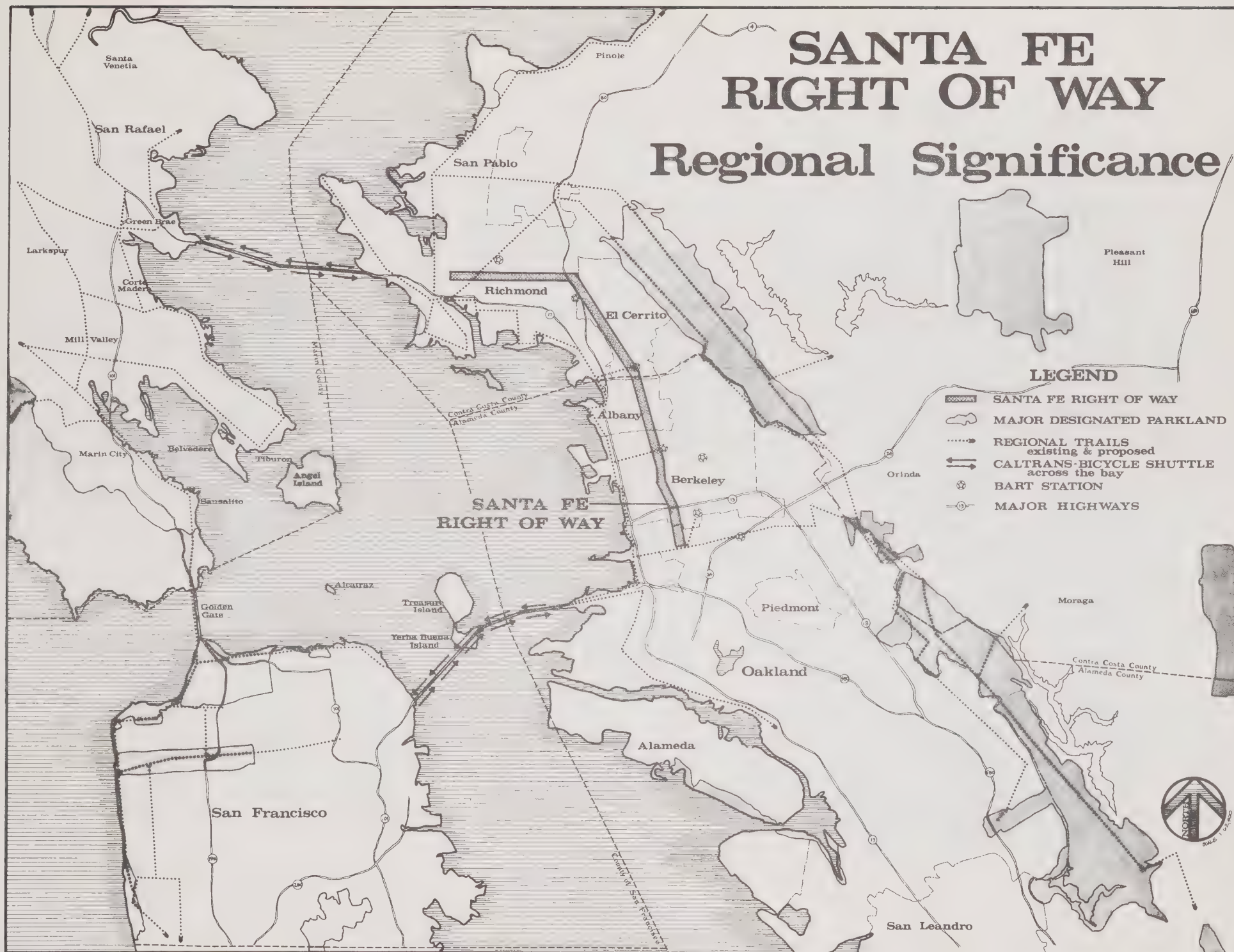


figure 1.

The franchise agreement provides that upon cessation of the use of the railway facilities or the expiration of the franchise, Santa Fe is required to remove all rails, ties, poles, and associated facilities. The company is also required to replace any public improvements affected by the removal of its railway facilities.

The Public Works Department has identified all of the city's public street areas and intersections where replacement of street surfacing, curbs, gutters, and sidewalks would be required as a consequence of terminating railway service. The Department estimates that the cost of such street intersection repairs could amount to approximately \$500,000. This figure represents the estimated value of the restoration work. An agreement has not been reached as to who will perform the required repairs and restoration.

POTENTIAL USE ALTERNATIVES

Many uses of the Santa Fe right-of-way are possible. As noted earlier in this report, the right-of-way consists of a series of land parcels within each of some 26 city blocks. Viewed individually, these parcels could be used for a variety of private and public purposes such as housing construction sites, developed open space and recreational facilities; expansion area for abutting development and so on (consistent with existing zoning regulations). Rather than analyzing potential uses on a parcel basis, this report sets forth two major use concepts for the Berkeley portion of the right-of-way taken as a whole.

Major Use Alternatives

In its present form, the Santa Fe right-of-way is a continuous transportation route. This characteristic of continuity of use across the city distinguishes the right-of-way from other privately-owned property in the city. It makes possible the separation of use alternatives for the property into two categories: (1) those premised upon retention of the continuity of the right-of-way; and (2) those premised upon a reversion to the normal development pattern of the city.

A. Developed Open Space Alternative. This alternative utilizes the characteristic of the right-of-way as a unified continuous development. It contemplates use of the entire Santa Fe right-of-way from the north city limits at Albany to Sacramento Street for park and developed open space purposes. The narrower right-of-way segments could accommodate a landscaped pedestrian way with paved path, a jogging path and "parcourse" with exercise stations and benches at appropriate points. More structured recreation facilities such as basketball, tennis, or volleyball could be accommodated at the widest part of the right-of-way (north and south of Allston Way).

Adjoining vacant lands could be acquired to augment the major park already planned at Cedar and Rose Streets.

Because of conflicts with motor vehicles at street crossing and with pedestrians along pathways, use of bicycles in the developed open space would have to be limited and controlled.

B. Mixed Use Alternative. This alternative contemplates use of the right-of-way for a variety of purposes such as new housing development, developed open space, roadway, adjoining private property enlargement and commercial use where the right-of-way is contiguous to business areas.

An estimated 50-65 low to moderate income housing units could be constructed by private sponsors in the Addison Street to Allston Way segment of the right-of-way. Utilizing vacant lands in two other locations^{2/} could provide enough land area to develop an

^{2/} North of Rose Street and south of Ward Street at Sacramento.

additional 45 to 60 low to moderate income housing units. In other locations, some 45-65 unsubsidized housing units could be developed privately, in the form of single and two-family homes.

The acquisition of adjoining vacant lands could also augment the future Cedar/Rose Park as described in the Developed Open Space Alternative. A landscaped pedestrian pathway from the city limits at Albany to the Cedar/Rose Park could be provided in the northern section of the right-of-way where there are limited housing development opportunities.

The Mixed Use alternative also considers a minor amount of new commercial development. Small segments of the right-of-way traverse business areas at Gilman Street and University Avenue. Under existing zoning, these sites could be developed for commercial uses.

The Mixed Use Alternative does not retain the continuity of the right-of-way. Development of all these potential elements (i.e. housing, commercial, etc.) would render the right-of-way unsuitable as a parkway.

The principal functional differences between the two concepts are (1) greater variety of uses under the Mixed Use Alternative at the expense of not maintaining a continuous thruway; and (2) maintaining right-of-way continuity under the Developed Open Space Alternative. Other differences involving community impacts, costs, benefits and implications for public policy also exist. These factors will be assessed subsequently in this report.

In order to show these use alternatives in greater detail, maps depicting how the right-of-way might be developed have been prepared. Illustrative use and development schemes for each Use Alternative are shown in Appendix B. These diagrams should not be interpreted as firm plans. They are intended only to serve as bases for discussion of how the major use alternatives might be carried out. Several variations on the alternatives shown would be equally valid. Actual future use and development of the Santa Fe right-of-way will probably differ somewhat from both of these illustrations.

Complementary Use Options

The two major use alternatives and related illustrative development schemes discussed above focus primarily on the Santa Fe right-of-way. Several parcels of vacant or underutilized property adjoin the Santa Fe right-of-way. These properties are not owned by the railroad but they offer use and development opportunities complementary to those associated with the railroad right-of-way itself. This section presents several options which anticipate acquisition of these properties for use and development in conjunction with the right-of-way property.

These parcels include excess BARTD properties adjoining the northerly portion of the railroad right-of-way and extending to the North Berkeley BART station, West Street between Addison Street and Bancroft Way, the City corporation yard, an industrial building on Allston Way near the corporation yard, and two vacant parcels in the Ward-Sacramento Street area.

A. BART Lands

The Bay Area Rapid Transit District owns a number of excess properties adjacent to the Santa Fe right-of-way. These properties could be acquired and developed in conjunction with either major use alternative.

BART Option 1 proposes the development of a parkway that would link the existing landscaped pathway at the Albany border, continue through the future Cedar-Rose park and terminate at the North Berkeley BART Station. In addition, this option proposes the development of three tennis courts between Hopkins and Rose, releasing more space in the future Cedar-Rose park for field game facilities.

BART Option 2 proposes the accumulation of sufficient land area to accommodate a publicly assisted housing development of 20-30 units serving low to moderate income households. A public pathway link would be provided to the planned Cedar-Rose park from the north. In addition to the publicly-assisted housing, about 12 single family homes could be developed on vacant BART lands between Cedar and Virginia Streets.

B. West Street

Both major use alternatives propose that portions of West Street north of Berkeley Way be used as a public street. Certain existing residences depend upon the street right-of-way for access. Two additional options could be considered.

West Street Option 1 would permit use of the railroad and street rights-of-way for new low-density housing development while maintaining street access for existing properties that need it. This option would require the acquisition of any reversionary property rights to the street right-of-way that are held by abutting owners. The purchase price of these rights has not been established.

West Street Option 2 proposes the development of a landscaped pathway between Francisco and Berkeley Way. Some acquisition of reversionary property interests might also be required under this option although probably to a much smaller extent than under West Street Option 1. Street access would also be provided for properties fronting on West Street.

C. Corporation Yard

The City of Berkeley Corporation Yard, which houses most of the City's maintenance and repair operations, adjoins the Santa Fe right-of-way between Allston Way and Bancroft Way. The Open Space Element of the City's Master Plan includes a policy that "the (City's) Corporation Yard should be moved to a more appropriate location ... and the site developed for park, recreation and some housing."

Relocation of the Corporation Yard would be a major undertaking. Approximately seven acres of land would be required elsewhere for the facility. Vacant property of this size is not presently available in the Berkeley industrial area. Should funds become available to move this facility, the site could be developed as a prime inner city park connecting the existing bowling greens and totlot to the east with one of the widest Santa Fe parcels that lies immediately to the west. The resulting park area could be one of the city's largest baseball and soccer fields. Housing opportunities are also afforded by Corporation Yard relocation.

Corporation Yard Option 1 would combine all of the nearby Santa Fe right-of-way between Addison Street and Bancroft Way with the Corporation Yard site and an adjacent underused industrial property to provide a site for a district park with tennis courts, recreation building and field games facilities. Portions of Allston Way might be closed to vehicular traffic to merge all of these properties into a unified site.

Corporation Yard Option 2 proposes the use of the Santa Fe right-of-way between Addison Street and Allston Way for new housing development. With the Corporation Yard relocated, its area could be merged with the adjacent Santa Fe right-of-way parcel to create a district park with recreation center and tennis courts. Allston Way would not be abandoned because it would be needed for access to the new housing.

Some 50-65 units of new housing would be possible under this option. In order to serve low and moderate income households on this site, existing housing subsidy programs would have to be utilized. Although not illustrated, adjoining industrial buildings could be acquired to augment the housing development site at a later date.

D. Ward-Sacramento Street Option

Vacant lands adjoining the Santa Fe right-of-way between Ward and Sacramento Street provide an opportunity for additional housing development. If acquired and developed in conjunction with the right-of-way, some 25-35 units of housing could be accommodated. Subsidies from existing programs would also be needed for this site in order to construct low and moderate income housing.

Some of the options described are only feasible in conjunction with one major use alternative. For example, those options providing for housing development are inconsistent with the developed open space alternative inasmuch as the continuity of its linear parkway would be interrupted. The following chart illustrates the functional relationships among the major use alternatives and these complementary use options.

Chart I

COMPATIBILITY OF OPTIONS AND MAJOR USE ALTERNATIVES

<u>Options</u>	<u>Major Use Alternative</u>	
	<u>Developed Open Space</u>	<u>Mixed Use</u>
Bart Option 1	+	-
Bart Option 2	-	+
West Street Option 1	-	+
West Street Option 2	+	+
Corporation Yard Option 1	+	-
Corporation Yard Option 2	-	+
Ward/Sacramento Option	-	+

ASSESSMENT OF MAJOR USE ALTERNATIVES

The alternative use concepts described above can be assessed from a number of viewpoints. Both general and specific issues are involved.

The following factors were found to be important aspects of the use alternatives:

- Bikeways. Use of the right-of-way as a bike route has been proposed at various times in recent years. This proposal raises two main issues:
 1. The number of at-grade street crossings involved; and
 2. The absence of major origins and destinations along the route.

There is general public interest in developing bikeways on exclusive rights of way. Vehicle/bicycle conflicts and vehicle noise and air pollution are greatly reduced or eliminated for cyclists along exclusive bikeways. The Santa Fe right-of-way would not operate as an exclusive bikeway because it has approximately 23 at-grade street crossings^{3/} each of which creates potentially serious vehicle-bicycle conflicts. If the route were to be used as a bikeway, "yield" or "stop" signs as well as gates or bollards might have to be installed on the bikeway at each of the street crossings with "Bike X-ing" warning signs placed on the cross streets. Mandatory stops for vehicular traffic at each intersection would not be reasonable just for the relatively light bicycle traffic. The installation of stop signs under these conditions might well encourage some drivers to ignore or "roll through" the stop signs increasing accident hazards for cyclists. Requiring cyclists to stop or slow down frequently along the route would disrupt the continuity of the bikeway and, therefore, make the route of questionable value as a bikeway.

The absence of major destinations along the route (other than the North Berkeley BART station) reduces its utility as a transportation link. If a bikeway were constructed along the entire right-of-way, it would primarily serve recreational cycling. It is concluded that development of a bikeway along the entire length of the Santa Fe right-of-way may involve significant safety hazards to cyclists. On the other hand, a bikeway through the northern portion of the right-of-way linking the existing bikeway in the City of Albany with the North Berkeley BART station and connecting with the existing California Street bikeway would involve relatively few hazards to cyclists and would serve an important destination point.

3/ Not counting street crossings on Sacramento Street

- Social Considerations. With the exception of the segment between Addison Street and Bancroft Way, the Santa Fe right-of-way is not directly paralleled by a public street. The City's recent experience with small parks in residential areas is that behavioral problems with park users can be expected where the park is obscured from public view. The City of Albany reports that the only section of its linear park (under the BART elevated structure) where incidents such as vandalism, muggings or attempted rape have occurred do not have a public street paralleling the park. Apparently, the extended visibility afforded from a street to neighborhoods, other persons in the area and to police patrols is an effective deterrent to such activities. Other cities with linear open space parkways have encountered similar problems.

Much of the Santa Fe right-of-way consists of relatively narrow strips through residential blocks. Due to the limited amount and type of recreational facilities these strips can accommodate, the probable absence of supervision, and conditions of impaired visibility, behavioral problems can be anticipated if these strips are developed as linear parks.

- Housing

Two of the main uses proposed in the mixed use alternative for most of the Santa Fe right-of-way located in low density residential neighborhoods are private housing and enlargement of adjoining private property (called "squaring up"). New parcels can be created along various segments of the right-of-way and then sold for private development. In these areas, zoning regulations applicable to the right-of-way limit private residential development to one- and two-family units. However, it should be noted inflation has escalated the construction costs of a single family home or duplex to unprecedented levels. These high residential construction costs may act to inhibit home builder interest in those sections of the Santa Fe right-of-way if the selling price of a new home is significantly greater than the price of existing homes.

In other instances, private property adjoining the right-of-way is substandard in lot area or has property lines which inhibit effective use of the property. In these cases, the right-of-way may offer property improvement or development opportunities to those abutting property owners. Therefore, the City can offer segments of the right-of-way to adjoining property owners wishing to acquire small portions of the right-of-way. However, the potential exists for a crazy-quilt pattern of land uses to emerge unless all segments designated for "squaring up" are so disposed.

With regard to all three sites identified as suitable for publicly-assisted housing, it should be noted that the planning, organization and financing aspects of such developments are complex and can consume several years time. Dedicated private sponsorship is essential. Extensive City staff time is needed, resulting in extra administrative costs. Also, because of the high costs of new construction, the development of adequate financing is both critical and difficult to obtain.

It should be noted that the city has established a number of housing goals. As part of its Community Development Block Grant application, the City prepared a Housing Assistance Plan for the period 1977-1980. That Plan calls for the development of 710 new rental housing units, all to receive federal Section 8 housing assistance payments. Some 500 of these were to be for families, including large families. Taking advantage of the publicly-assisted housing development options, the Mixed Use alternative could result in the development of 95-130 new residential units for low to moderate income households, thus allowing significant progress to be made in meeting these goals. The Mixed Use alternative would also help meet other housing needs in the City by allowing for private development of some 45-65 additional residential units.

Community Impacts

Both positive and negative community impacts can be identified with each of the major use alternatives for the Santa Fe right-of-way. These impacts are summarized as follows:

A. Developed Open Space Alternative

Positive Impacts

- A continuous, landscaped pedestrian way open to public use would exist from the Albany/Berkeley city line to Sacramento Street. This open space would provide a number of neighborhoods with a unique open space amenity.
- A jogging and exercise trail could be provided, accessible to a large resident population.
- Active recreation facilities such as tennis and court games could be accommodated at the midpoint of the linear parkway.
- Utilization of adjacent vacant lands could make possible the addition of court games and tot lots at other locations along the right-of-way.

Negative Impacts

- The narrowness of the right-of-way in most locations renders it impractical for most recreation facilities.

- Both construction and maintenance costs are likely to be higher for a narrow linear parkway than for larger, more cohesive park areas.
- The narrow linear parkway segments not paralleled by streets can be expected to experience incidents of vandalism and other social problems.
- Housing needs would not be addressed.

B. Mixed Use Alternative

Positive Impacts

- A landscaped pedestrian way could be provided linking the future Cedar-Rose Park to the Albany border.
- Major recreational areas would be provided near the Corporation Yard and at the planned Cedar-Rose Park.
- The opportunity for some new low to moderate income housing would be available. Additional land could be made available for private home construction, property expansion or development by adjacent land owners, and limited commercial development in business areas.
- Those portions of the right-of-way developed privately would enlarge the tax base of the city while not significantly increasing the demand for public services.
- The right-of-way would be largely integrated into the surrounding community, eliminating the distinction of living "above" or "below" the tracks.

Negative Aspects

- Right-of-way designated for private development in one- and two-family zoned areas may not be considered good investments for home construction by the private builders. Administrative costs for marketing property not needed for parks or other public purposes will be incurred. Should the City acquire the entire right-of-way and be unsuccessful in marketing these sites over a reasonable period of time, costs of maintenance might be significant.
- Significant public costs can be anticipated should the City seek to encourage housing developments to serve low to moderate income households.

- New housing construction, particularly developments with somewhat higher densities generate additional traffic on local residential streets. Although no serious traffic problems are anticipated with the mixed use alternative, residents in the vicinity of the sites suggested for higher density housing may have concerns in this regard.
- The prospect of low to moderate income housing being developed may be of concern to adjacent property owners who associate such housing with increased social problems. The current financing programs for such housing encourage mixed income occupancies. For this reason, no negative social effects are anticipated.

Costs of Major Use Alternatives

If the Santa Fe's application for railway abandonment is approved, the Company may not accept offers to purchase small sections of its right-of-way in Berkeley, at least in the near future. Therefore, should the City be interested in acquiring some portion of the right-of-way, it may be obliged to acquire it all and then resell those portions not needed for public use. Therefore, it is assumed that purchase of the entire right-of-way is necessary to achieve the public purposes identified in each major use alternative.

It is also assumed that the costs of all work required to restore street intersections upon removal of the tracks will be a financial obligation of the railroad under its franchise agreement with the City of Berkeley.

Based upon these assumptions, the probable costs to the City to realize the public purposes of each major use alternative are summarized in the following table. The cost estimates include adjustments for inflation over the next year and a half. It should be noted that these cost estimates have been prepared only for the purpose of comparing the two use alternatives. They are not meant to be definitive estimates of costs for actually implementing one of the alternatives. More refined cost estimates are necessary to provide a basis for any implementation activities or project budgeting.

TABLE 1
COST IMPLICATIONS TO BERKELEY OF MAJOR USE ALTERNATIVES

<u>Cost Items</u>	<u>Developed Open Space</u>	<u>MAJOR USE ALTERNATIVE</u>
		<u>Mixed Use</u>
Pre-acquisition expense ^{1/}	\$10,000 - 25,000	\$10,000 - 25,000
Right-of-way Purchase ^{2/}	\$320,000	320,000
Pre-disposition expenses ^{3/}	9,000 - 12,000	21,000 - 50,000
Disposition expenses ^{4/}	0	1,000 - 35,000
Parks & Open Space Development	1,226,000	356,000
West Street Construction, Other Public Improvements	95,000	95,000
Publicly-assisted Housing Development ^{5/}	0	5,000 - 10,000
Contingencies	<u>140,000 - 222,000</u>	<u>92,000 - 109,000</u>
Subtotal	1,800,000 - 1,900,000	900,000-1,000,000
<u>Revenues</u>		
Sale of Publicly-assisted Housing Site ^{6/}	0	(30,000 - 0)
Other Land Sale Proceeds	<u>0</u>	<u>(100,000 - 50,000)</u>
Total	\$1,800,000 - 1,900,000	\$770,000 - 950,000

-
- 1/ Includes costs for detailed planning, citizen participation and legal services.
2/ Includes 6-7% inflation factor.
3/ Includes interim maintenance, property surveys, marketing activities, etc.
4/ Lower estimate for sales of development sites only. Higher estimate for adjacent owner sales activities. Only covers administrative costs.
5/ Assumes no city contributions to development cost or sponsor expense. If these contributions were made, costs could rise to \$500,000.
6/ Assumes land priced at \$500/unit or less.

The cost analysis shows that the Developed Open Space Alternative would involve greater costs to the City of Berkeley than would the Mixed Use alternative. The cost differences between the two alternatives could range from a low of about \$900,000 to a high of about \$1,000,000. However, the cost analysis presumes that the publicly-assisted housing proposed in the Mixed Use alternative would be carried out by a private sponsor with little direct involvement of the City. In the event the City were to play a more active role, city costs would rise substantially, reducing the cost differences between the alternatives to \$400,000 - 500,000.

Beyond one time capital outlay costs, recurring maintenance cost can be anticipated for each of the two major use alternatives. The Department of Parks, Recreation and Community Services conducted a specific study of maintenance costs for various types of park and other open space facilities. The derived cost factors were applied to the two major use alternatives and resulted in an anticipated annual maintenance cost⁽⁴⁾ of \$206,000 for the Developed Open Space Alternative and \$52,000 for the Mixed Use Alternative.

Costs to implement the complementary Use Options have also been estimated and can be summarized as follows:

TABLE 2
APPROXIMATE COSTS TO CITY OF COMPLEMENTARY
USE OPTIONS

<u>USE OPTION</u>	<u>ONE TIME COSTS</u>	<u>ANNUAL MAINTENANCE^{4/}</u>
BART Option 1	\$ 182,000 - 187,000	\$ 25,000
BART Option 2	51,000 - 94,000	0
West Street Option 1	0 41,000	0
West Street Option 2	30,000 - 36,000	9,000
Corporation Yd. Option 1	5,200,000 - 5,800,000	31,000
Corporation Yd. Option 2	5,030,000 - 5,600,000	21,000
Ward Sacramento Option	12,000 - 33,000	0

Funding Sources

Funds to implement the major use alternatives might be obtained from several sources. These sources include:

- Measure Y (Park Acquisition and Development)
- Community Development Block Grant
- Urban Development Action Grants
- Bond Issues
- A variety of state and federal housing finance assistance programs

Some \$539,400 of Measure Y funds have been set aside for open space and recreational use of the Santa Fe right-of-way. These funds could pay for all acquisition costs of the Developed Open Space alternative, leaving a balance of at least \$182,000 for open space development. Grant applications for other Measure Y projects under the federal Land and Water Conservation Fund and in connection with state park bond programs are anticipated to generate an additional \$400,000 to the Measure Y fund beyond the planned property tax revenue. Some \$860,000 in other funds would be required to pay for the full costs of the Developed Open Space alternative. An extension of the Measure Y open space tax over-ride, community development block grant funds or a combination of these might be used to meet these costs.

^{4/} Maintenance costs are expressed in current dollars and do not take into account the effects of future inflation.

Measure Y monies could also be used to pay for at least part of the right-of-way acquisition under the Mixed Use alternative. However, the Measure Y fund would have to be reimbursed for the costs of any properties not actually used for park and open space purposes. Potential sources of funds for housing-related costs of the Mixed Use alternative include Urban Development Action grants, sale of various types of bonds and the Community Development Block Grant. Presently, all funds allocated to the City under the Block Grant program have been committed. Authorizing legislation for the Block Grant program will expire in federal fiscal year 1979 but it is expected that this program may be extended. Such additional funds will be needed to maintain existing City housing programs funded by that source. As a result, use of Block Grant funds for the Mixed Use alternative's housing proposals would require that new city priorities be established emphasizing new housing development in addition to housing conservation. Available Measure Y funds are adequate to pay for open space development costs of \$356,000 under the Mixed Use alternative and could cover right-of-way purchase costs for land to be used as public open space.

Community Development Block Grant funds potentially might be used to pay for part or all of the \$95,000 required for streets and other public improvements called for under both use alternatives, although the same limitations on the allocation of these funds would apply as noted above.

The options involving relocation of the Corporation Yard cannot be funded by any of the above sources because of the large expenditure involved. A general obligation bond issue is the most likely source of funding for that project. Alternately, special federal grant funds might be sought.

A variety of financial assistance programs could be used to finance housing development under the Mixed Use alternative. The programs include mortgage assistance, mortgage insurance, and rent payment assistance.

TABLE 3
SUMMARY OF FUNDING SOURCES FOR MAJOR USE ALTERNATIVES

<u>Available/Anticipated</u>	<u>Developed Open Space</u>	<u>Mixed Use</u>
Measure Y	\$539,000	\$435,000 ^{1/}
Park-related grants	400,000	-
Property Sales Proceeds	-	50,000 - 130,000
Subtotal	\$939,000	\$485,000 - 565,000
Amount Needed	\$1,800,000 - 1,900,000	\$900,000 - 1,000,000
Difference	861,000 - 961,000	415,000 - 435,000
Potential Sources	Community Development Block Grant Extension of Measure Y Tax Bond Proceeds	Community Development Block Grant Urban Development Action Grant Bond Proceeds

^{1/} Includes funds for purchase of property used for parks.

CONCLUSIONS

Of the two major use concepts evaluated in the report, the Task Force concludes that the Mixed Use alternative offers the greatest number of advantages because:

- It would provide for significant additions of open space and recreation facilities;
- It involves relatively moderate costs to the City for capital outlay and continuing maintenance; and
- It offers an opportunity for the City to address pressing housing needs in the community.

The Task Force also concludes that the Developed Open Space alternative should not be pursued as a future use of the right-of-way for the following reasons:

- Recreation opportunities are not significantly greater than those afforded by the Mixed Use alternative.
- Substantial expenditures for capital outlay and continuing maintenance would be required.
- Vandalism and other forms of negative social behavior are anticipated to occur within linear park segments inadequately open to public view. These problems can adversely affect adjoining property owners and may act to reduce public use of these areas.
- Bikeway opportunities are seriously compromised by the limitations on bike use necessary to maintain safe operating conditions for cyclists and pedestrians.

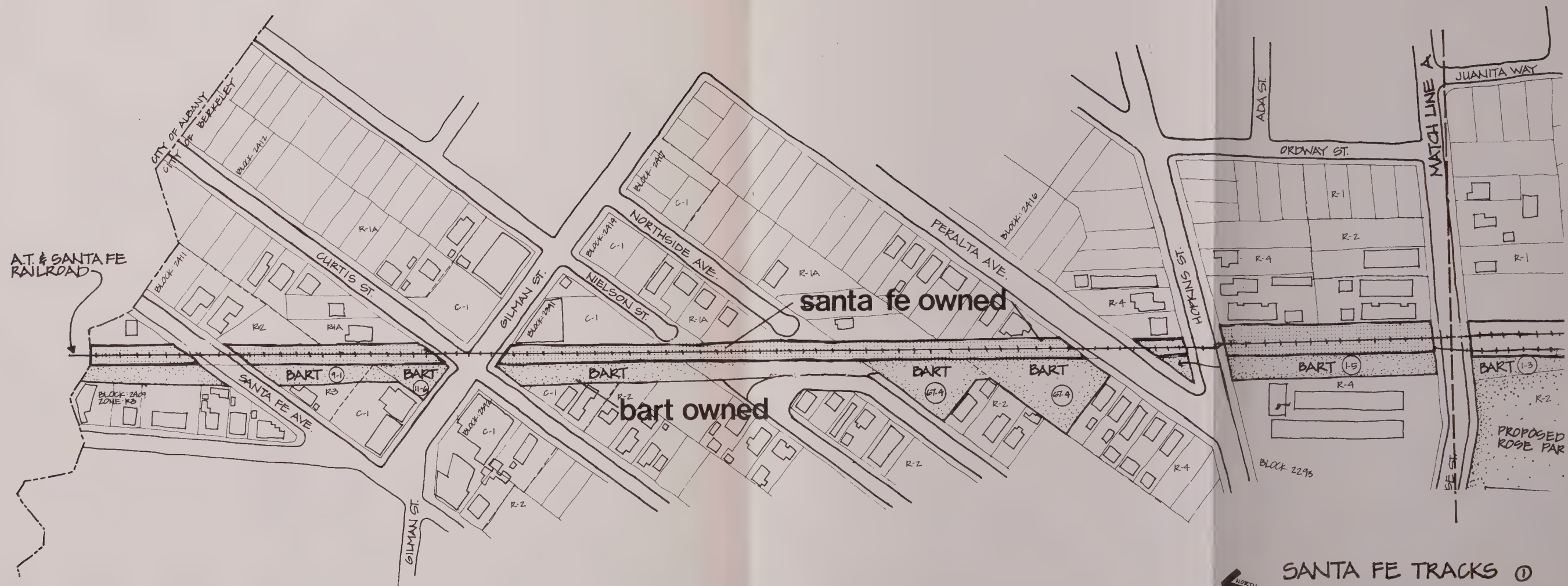
Finally, the Task Force believes that the most effective mechanism through which the Santa Fe right-of-way can be converted to public and private use is interim ownership by the City of Berkeley. In this manner, the right-of-way can be systematically planned to serve community interests at large. Beneficial use and development of all the property may be unduly delayed if its disposition is subject to the vagaries of the real estate market.

Next Steps

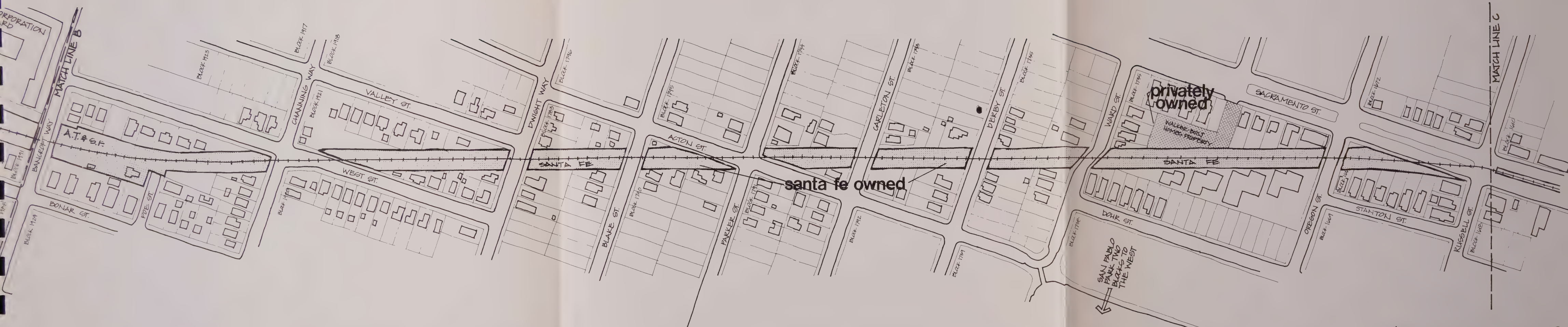
This report will be circulated for public review to a large number of community organizations and interested citizens. It is anticipated that a joint public hearing will be held on the report by the Planning Commission and the Recreation Commission in October or early November. Notices of this hearing will be widely publicized. These commissions will then forward their recommendations to the City Council. If the abandonment of the right-of-way is approved as expected, the City Council will have 120 days

within which to decide if the City should purchase the property. Public comment, Commission recommendations and this report will be considered by the City Council in making that determination.

A P P E N D I X A



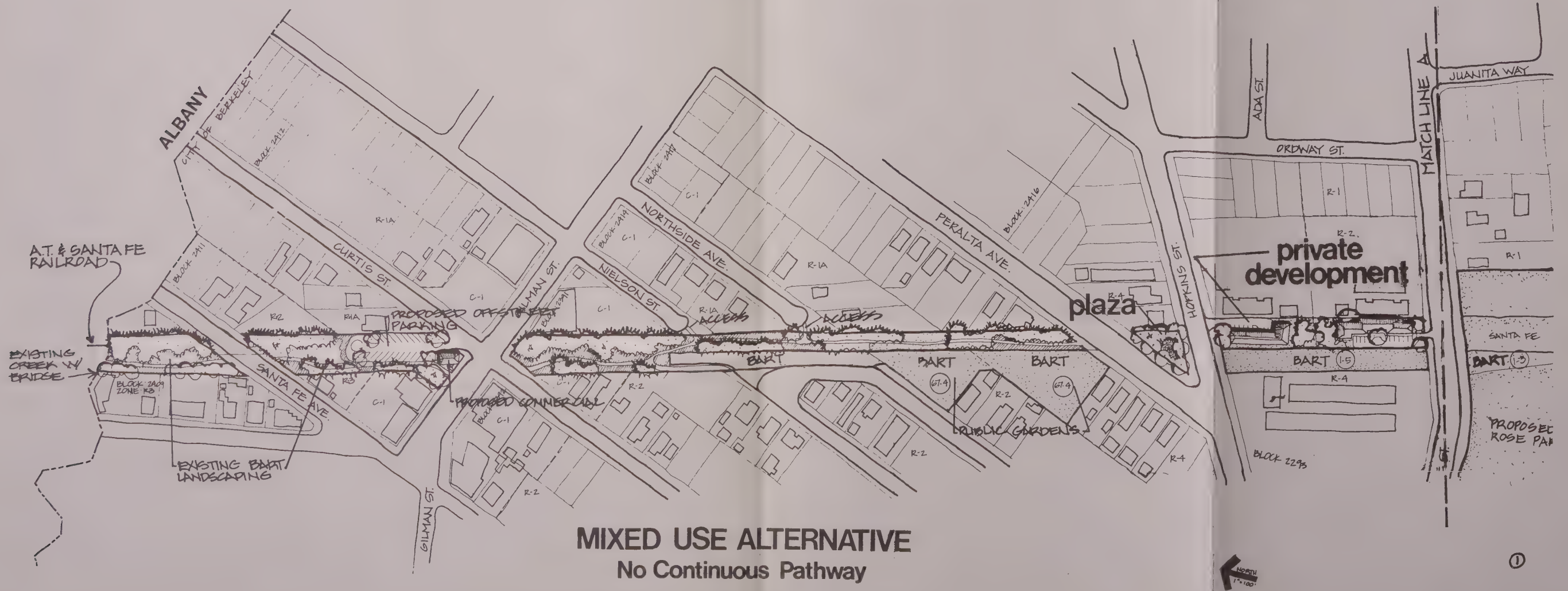
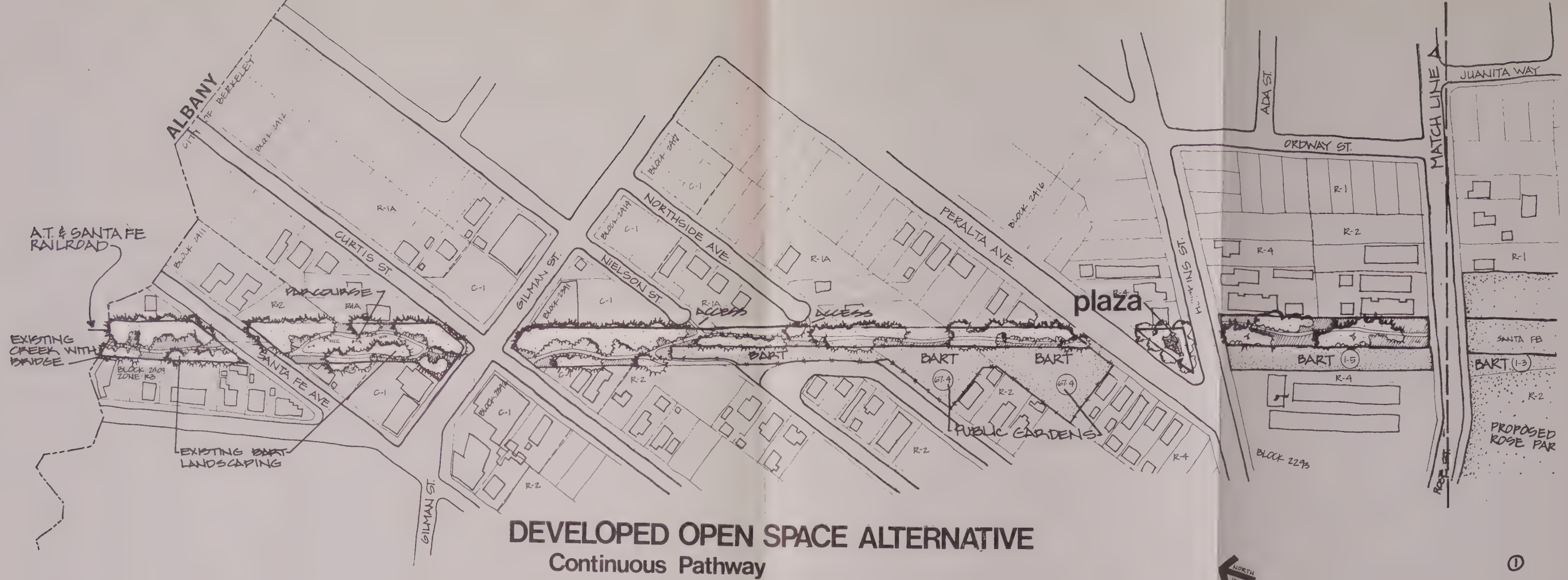
← NORTH
1"=100'
SANTA FE TRACKS ①



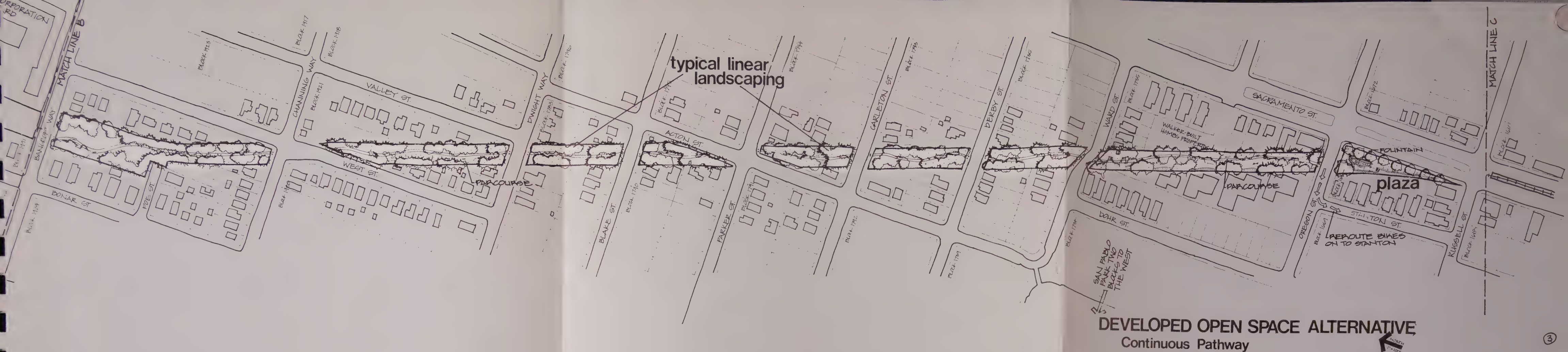


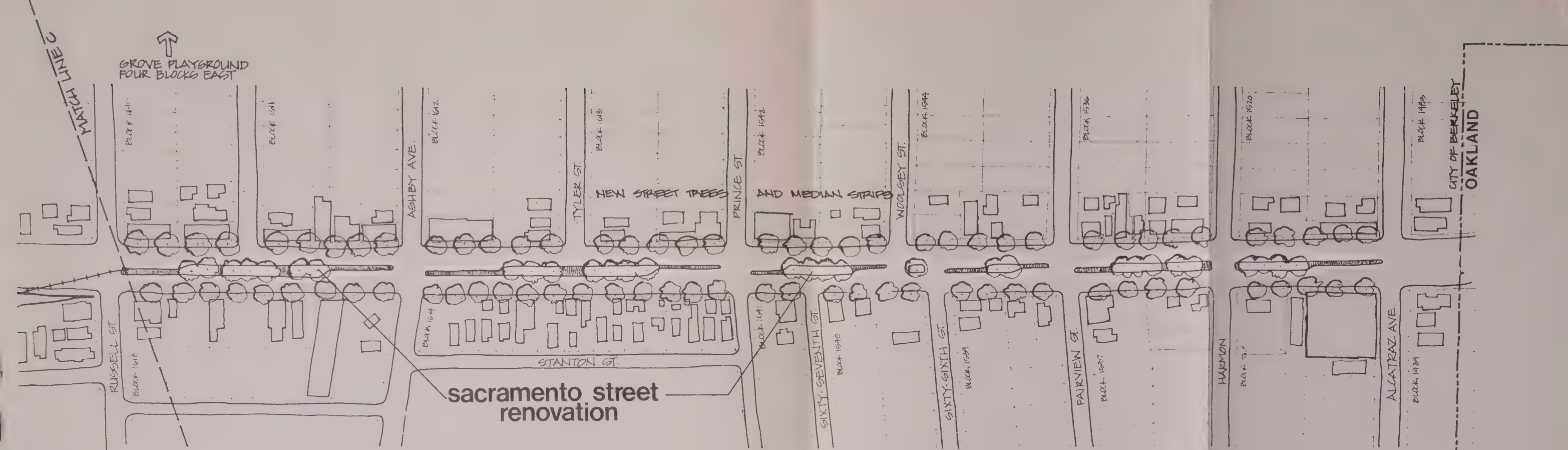
NORTH
1" = 100'
SANTA FE TRACKS ④

A P P E N D I X B





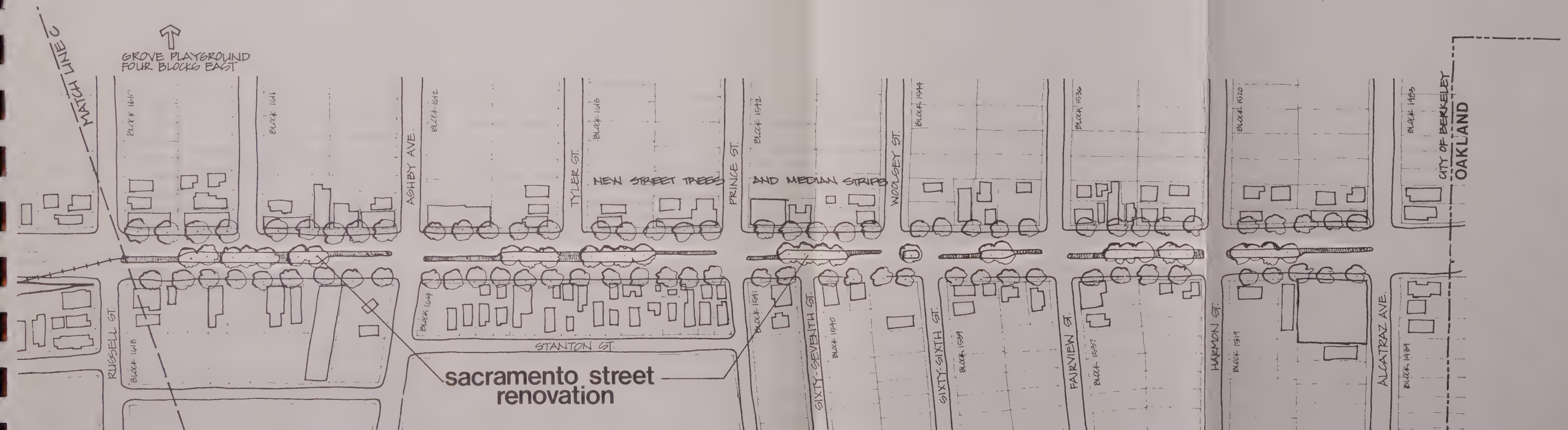




DEVELOPED OPEN SPACE ALTERNATIVE

Continuous Pathway

④



MIXED USE ALTERNATIVE

No Continuous Pathway



④

MATCH LINE A





KLIN ST.

R-2

BLOCK 2141
ZONE: R-2

BLOCK 2079
ZONE: R-2

BLOCK 2074

R-2

R-4

BLOCK 2073

R-4

C-1

FRANCISCO ST.

DELAWARE ST.

HEARST AVE.

BERKELEY WAY

housing

West St.
OPTION 1

BLOCK 2135
ZONE: R-2

BLOCK 2080
ZONE: R-2

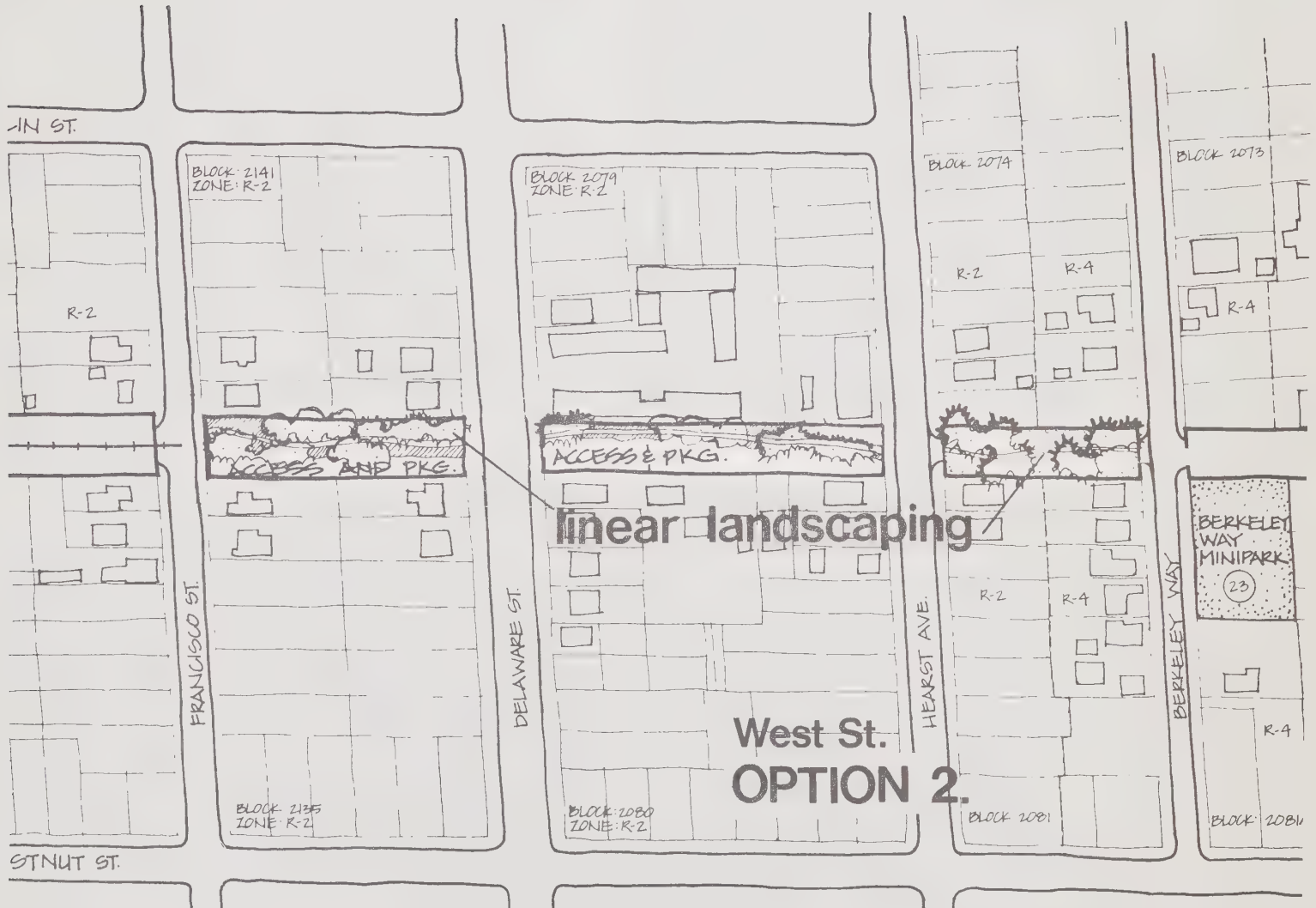
BLOCK 2081

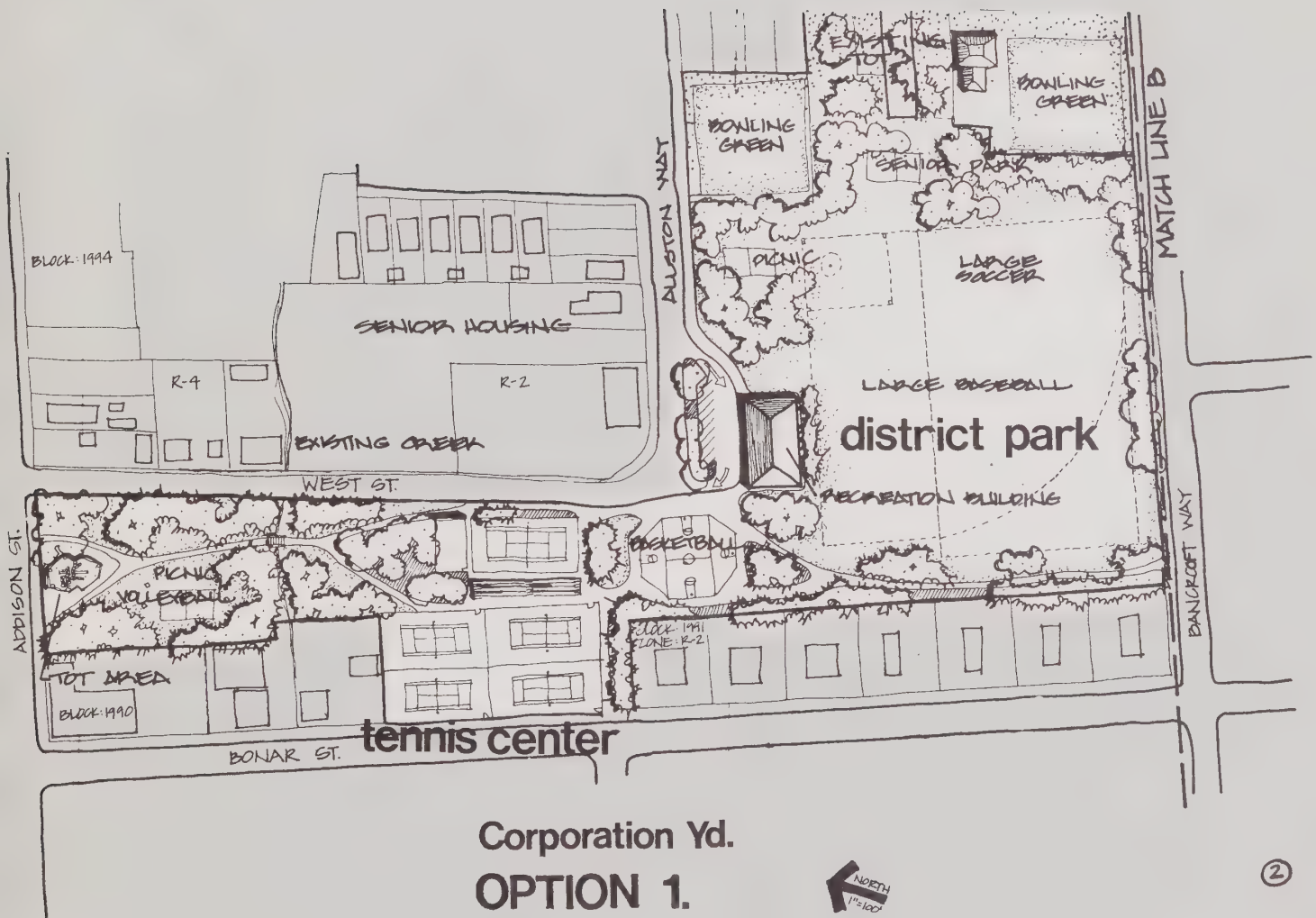
BERKELEY
WAY
MINIPARK
(23)

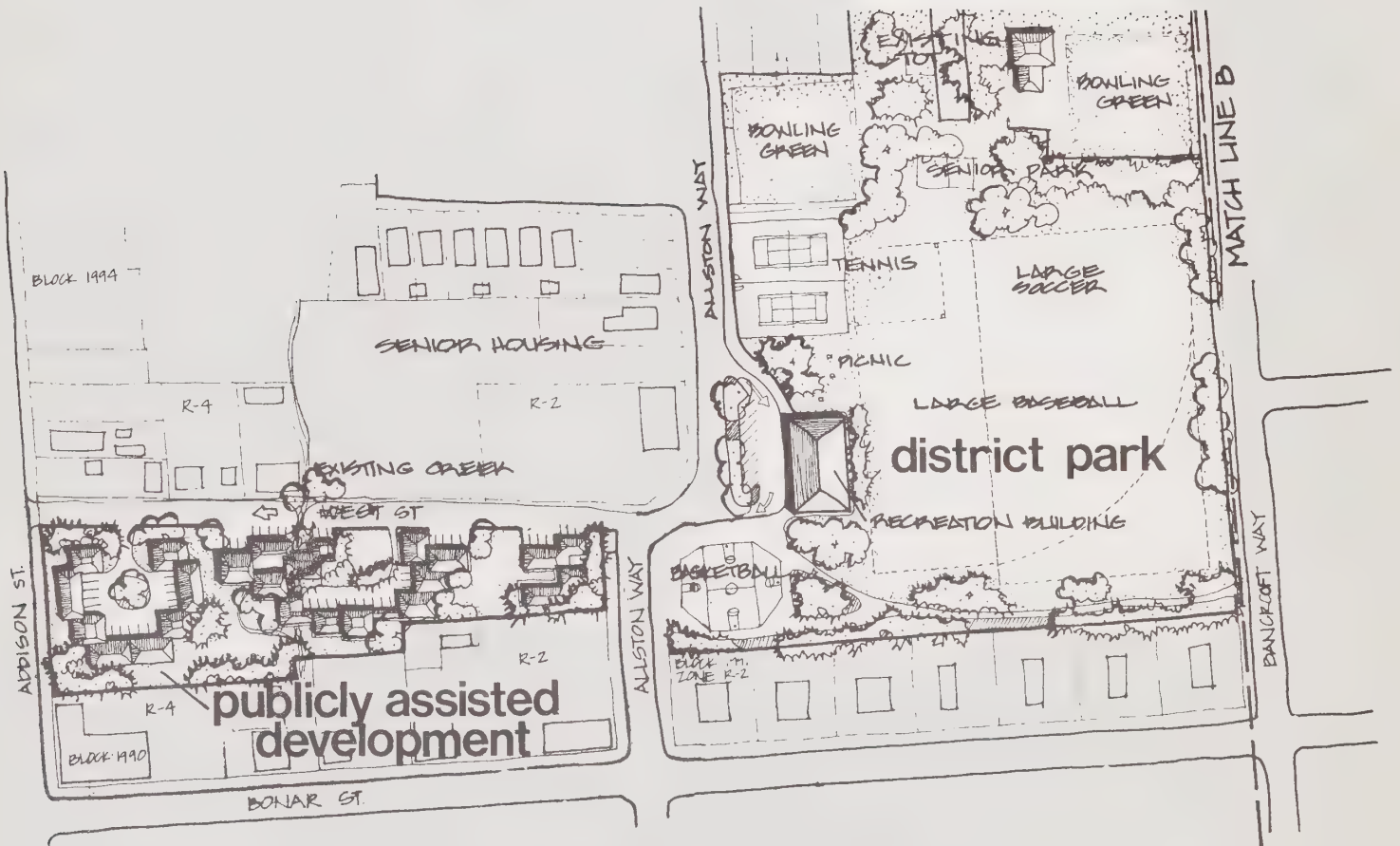
R-4

BLOCK 2081A

HESTNUT ST.







Corporation Yd.
OPTION 2.



②



U.C. BERKELEY LIBRARIES



C124879138

